


AFFIDAVIT

Before me, the undersigned authority, a Notary Public, in and for said County and State of Alabama at Large, personally appeared Arnold M. Holt, who being known to me, and being by me first duly sworn, deposes and says under oath as follows:

My name is Arnold M. Holt, and I am presently employed as a Correctional Warden III, with the Alabama Department of Corrections, Bullock County Correctional Facility, Post Office Box 5107, Union Springs, Alabama 36089. I am over twenty-one (21) years of age.

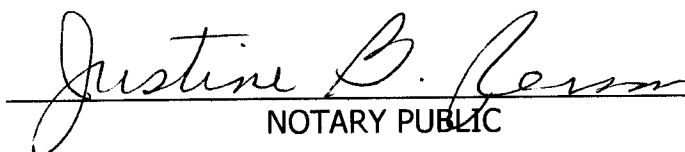
I certify that the attached Reports (DISC: #03-1134, Incident Report #BCCF:03-1134, DISC: #04-2484, and Incident Report #BCCF: 04-2484, are true and correct copies of documents on file here at Bullock County Correctional Facility.


Arnold M. Holt, Correctional Warden III
Bullock County Correctional Facility

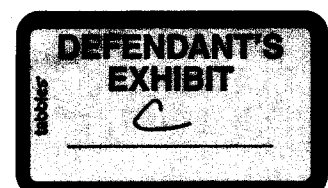
STATE OF ALABAMA)

COUNTY OF BULLOCK)

SWORN TO AND SUBSCRIBED before me and given under my hand and official seal on this the 15th day of September 2005.


NOTARY PUBLIC

My Commission Expires: 2/24/2009.



DOC Form 225B (Revised 7/92)

RE-INITIATED

DISC: #03-1134

BCCF: #03-1134

ALABAMA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT

1. INMATE: Richard Wright CUSTODY MIN-9 AIS BM/187140
2. FACILITY: BULLOCK COUNTY CORRECTIONAL FACILITY
3. The above inmate is being charged by Officer Brenda Austin with a violation of Rule Number 38 specifically Indecent Exposure/Exhibitionism from regulation # 403, which occurred on or about August 16, ~~xx~~ 2003 at (time) 8:00 (am/~~pm~~), Location: Dormitory #12. A hearing on this charge will be held after 24 hours from service.
4. Circumstances of the violation(s) are as follows: You, inmate Richard Wright, BM/187140, were observed by Officer Brenda Austin stroking your exposed/erect penis in a backward and forward motion while looking directly at Officer Austin.
5. Brenda Austin, COI
Arresting Officer/Signature/Rank
6. I hereby certify that I have personally served a copy of the foregoing upon the above named inmate on this the 12 day of September ~~19~~ 2003, at (time) 11:25, (am/~~pm~~).
7. S. Hand, COI
Serving Officer/Signature/Rank
8. Witnesses desired? NO YES Richard Wright 187140 9/12/03
Inmate's Signature Inmate's Signature
9. If yes, list: Lawrence Williams, Rashun Lee
10. Hearing Date 9/17/03 TIME 12:15pm PLACE Inmate's
11. Inmate must be present in Hearing Room. If he is not present explain in detail on additional page and attach.
12. A finding is made that inmate (is) (is not) capable of representing himself.
13. Plea: Richard Wright 187140 Not Guilty Guilty
Signature/Hearing Officer
14. The Arresting Officer, inmate, and all witnesses were sworn to tell the truth.
15. Arresting Officer's testimony (at the hearing): I was working all 4 dorms. I was standing in the vestibule of Dorms #12 & #13, he was in Dorm #13 shower. An unidentified inmate approached and informed me that he didn't sleep in Dorm #13 and that he was in the shower masturbating. After he finished showering, he went to Dorm #12 and sat in a chair and masturbated while staring

(Continuation Sheet) ADOC Form 225B, Alabama Department of Corrections
Disciplinary Report (Optional)

Inmate Name & AIS # Richard Wright - BM/187140 Incident Report No. 03-1134
Facility BULLOCK COUNTY CORRECTIONAL FACILITY

CONTINUED ARRESTING OFFICER'S (AO) STATEMENT AND/OR QUESTIONS BY HEARING
OFFICER (QBHO) TO ARRESTING OFFICER:
at me.

CONTINUED INMATE'S STATEMENT AND/OR QUESTIONS BY HEARING OFFICER (QBHO) TO
INMATE:

CONTINUED WITNESS TESTIMONY (QBHO):

CONTINUED FINDINGS OF FACT:

CONTINUED BASIS FOR FINDINGS OF FACT:

CONTINUED HEARING OFFICER'S RECOMMENDATIONS:

OTHER: _____

BRIEF IN SUPPORT OF
MOTION FOR DISMISSAL

On August 16, 2003 I was taken to the shift office and accuse by office Brenda Austin of Masturbation in plain view.

On August 21, 2003 I was called to the shift office. Upon arrival I was informed in writing of the circumstance of the violation I was accused of. I sign to acknowledge the disciplinary and left.

On September 3, 2003 Sergeant Hicks gave me a notice of rescheduling the disciplinary hearing which was dated August 31, 2003. It stated, the hearing would be rescheduled on "a later date". I sign the form to acknowledge it and left. Outside the shift office I realize the date I receive it did not correspond with the date on the paper. I went back in the office and inform Sergeant Hicks of this discrepancy. She replied, "I know". I ask Sergeant Hicks Could I

date my signature. She stated, "you can date the copy you have". I replied, but, I need to date the copy I sign that you have as well. Sergeant Hicks refuse to let me do so. She responded, "you don't need to date this one, just date the one you have" So, I left the office.

On September 6, 2003 I was told by a shift office runner to report with the two witnesses I requested for the hearing. When we enter the room Sergeant Hicks and Mrs. Austin were present. Sergeant Hicks which was the hearing officer ask me to state my name and A.I.S.#, which I did. Sergeant Hicks read the accusation Mrs. Austin made against me and ask me did I understand the charge, I responded with "Yes". She swore us in to tell the truth. She told the two witnesses I requested to leave the room. Once they left, Sergeant Hicks stated, "I'm going to non-process this disciplinary because it don't comply with the A.R. 403 due process regulations but, I will reinstate the charge again."

I replied, "O.K." and Sergeant Hicks instructed me I could leave the room.

Done ON THE 7th day
of September 2003.

Sincerely,

Richard W. Wright Sr.
RICHARD WAYNE WRIGHT SR.

MOTION FOR DISMISSAL

In section, III. Procedures before hearing, item (B) of the AR-403 states: personnel who had formed an opinion of the innocence or guilt of the charge inmate, may not serve as the hearing officer. Sergeant Hicks formed her opinion on August 16, 2003. When Mrs. Austin took me to see Sergeant Hicks I attempted to explain what took place. (See also inmate statement). Sergeant Hicks interrupted me during my conversation and emphasize "IF you was not doing nothing then you would not have any reason to apologize. She tells Mrs. Austin to write it up. She never let's me finish my statement before she puts me out of the shift office.

Due to sergeant Hicks disregard to the proper form and procedures required in the AR-403 in filling out the Annex (E) to the AR-403.

Sergeant Hicks has waited until September 6, 2003 to have the hearing for

the disciplinary. Where in 17 Calendar days has elapse From the date I was informed in writing of the accusation made against me. Ten working days has pass. The appropriate procedures that are "required", regulation establish in the AR-403 has been ignored.

Proceeding are due to be dismiss as untimely reiniated and procedural requirements of the D.O.C. AR-403 manual where not followed.

Done on the 7th day
of September 2003.

Sincerely,

Richard W Wright Sr.
Richard Wayne Wright SR.

Question For Witnesses

1. How Close where you to Mrs. Austin when she yelled across the Dorm From the grill gate, telling me to put my pants on, so she could take me to the office For masturbation? 30-4 feet (Williams)
2. When Mrs. Austin called my name and made her statement about me masturbating did you look around to see where I was? Yes (Williams)
3. When you notice me will you say what you saw me doing? I saw him get up out of the chair (Williams)
4. When I came to the grill gate in my boxer brief's did you notice them bulging out as if I had an erection? No (Williams)
5. Did I hesitate to come to the grill gate once Mrs. Austin Call me From across the dorm? No (Williams)
6. Why were you standing at the grill gate area? talking to another inmate (Williams)
7. Were you closer to me than Mrs. Austin was when I was Called by name and accuse of masturbating? No
8. When Mrs. Austin started yelling her accusation at me where would you say she was standing in the grill gate area? Just in the doorway (Williams)

Direction Continues

Continuation -

8. plus he didn't sleep in B dorm, 12 dorm shower was empty, so I had him to leave (after Austin).

18. to the wall (after Austin).

21. didn't know what I was talking about (after Austin)

24. the doorway, I didn't see that other guy (after Austin)

Questions for Rashad Lee

1. 3 feet in front of him

2. yes

3. bending down like he was tying his shoe

4. No

5. No

6. I was talking to Lawrence

7. yes

8. She was standing behind us in front of B dorm

9. He just got up and came to the grill gate

10. No I was talking

11. I don't remember

12. She walked up to the grill gate

13. yes

14. in his boxers

21. he didn't do anything

24. the vestibule area

Question For Witnesses

9. How would you say I responded when I heard Mrs. Austin refer her accusation to me? ^(William) ~~he asked where I was~~ ^{then came up}
10. At Any time you were at the grill gate talking did you notice me masturbating? ^(William) No
11. Did you see Mrs. Austin close to the grill gate on 12 dorm side before you heard her called me and made her accusation? ^(William) ~~she was standing in the doorway~~
12. When you heard Mrs. Austin began her statement after calling my name would you tell us how close she walk towards the direction I was in? ^(William) ~~she came inside the dorm~~
13. Did you hear Mrs. Austin tell me to put my pants on before I came to her at the grill gate? ^(William) No
14. How would you say I was dress when I came to the grill gate? ^(William) in his boxers

End of Question

(1)

Inmate's Statement (3 pages)

This problem started off when I was showering next door to the dorm I sleep in. Mrs Austin came in the grill gate area of dorm 12 and 13. After a while from the grill gate area she ask me where did I sleep. I told her 12 dorm. She told me I needed to get out that shower then. I did not even question "why". I Just partially dried off and put on my boxer brief's. I headed back to the dorm I slept in. She stop me in the grill gate and ask me "why was I showering over there". I told her because it had a lot of people in the shower. When I First got in the shower on 13 side in 12 dorm. She told me "it was not that Full and just shower in your dorm." Then she added "if I catch you doing and hank Panky stuff its going to be over For you". I did not even bother with getting back in the shower on 12 side. I sat in the chair between 13 and 15 beds after putting a Few personal Ptems in the box and hung up my wet clothes. I put lotion on parts of my body then started dring off my toes and between them. I was not certain she called my name but it sounded like she did. so I stood up, as she continue talking about

Statement Continue.

Inmate's² Statement

me putting on my pant's. She going to take me to the office. When she mention masturbating after what sounded like my name. I walk from between the beds. I ask the guy that sleeps under me "did she call my name" he said yes. On my way to the grill gate she tells me to put my pant's on before I come up there. I'm talking loud at this point also telling her "what I need to put my pant's on for!" I'm not doing nothing why you are talking about me masturbating. By this time she is standing back from the grill gate. I continued to emphasize if I was doing any thing over there you would be able to tell now (while I held my arms out to the side), so she could see if it even appears my penis is erected. She tells me she seen me over there masturbating. I responded; "you aint seen me doing nothing", I don't know why you are saying that. I'm over there putting lotion on and dring off my feet. She tells me, "I told you earlier about that just put on your clothes we are going to the office. I tell her "yea" that's where we need to go, while you are talking about me masturbating. Once in the shift office Mrs. Austin tells Sergeant — Statement
Continue

③
Inmate Statement

Hicks "here he is". I began telling her I was not doing nothing. Sgt. Hicks cuts me off and tells me, "I need to lower my voice, I don't raised my voice in there". I tell her I'm sorry. I attempt to tell Sgt. Hicks. I was telling Mrs Austin that if I would of been doing any thing that look like I was masturbating. I would of told her I am sorry, but I had no reason to be apologizing but she and I know I was not do nothing like that. Soon as Sgt Hicks heard the word "sorry" she cuts in again. she tells me if you were not doing nothing, you would not have to say sorry. I responded to Sgt Hicks, "that's what I'm saying you just did not let me finish. Sgt. Hicks said: she don't want to hear it, tell it at the disciplinary hearing. She tells Mrs. Austin write it up. She tells me I can leave. I'm shaking my head on the way out the door in disgust. Sgt Hicks calls me back in the office and tells me if she hears I'm bothering or harassing anyone she going to lock me up. Then she said "if I need to lock you up tell me now". I tells her, no you don't need to lock me up. Then I leaves the office.

End of Statement

Question For Mrs. Austin

1. Would you state, to the best of your ability, how many Feet I were From you when you observe me doing these things you accuse me of? In the grill gate of dormitory #12 (Ofc Austin).
2. When you Called my name and stated "put on your pant's, I'm taken you to the office, over there masturbating" did I immediately Come to the grill gate where you were standing? No (Ofc Austin)
IF the answer is no. How long would you say it took me to come see what you were talking about? He didn't come then, he kept messing around, I told him twice (Austin)
3. When I came to the grill gate in my boxer's brief's did you notice them bulging out as if I had an erection? No (Austin)
4. How long would you say you watch me doing these things you accuse me of before you called me From the grill gate?
5. What did you say to me to get my attention when I was showering in 13 Dorm? I wasn't even paying him any attention (Ofc Austin)
I had to make sure that was what he was doing before I called him (Austin)
6. Were you told by an inmate or another officer while I was in the shower in 13 dorm, I was masturbating? yes an inmate (Austin)

Question For Mrs. Austin

7. When you where in the grill gate area what cause you to ask me, "where did I sleep" and "why was I showering in that dorm?" ^{Carla an inmate informed me, he was masturbating and that he slept in dorm #12 (Austin)}
8. What was your reason for asking me to get out of the shower? ^{An inmate informed me of what he was doing,}
9. When I came past you in the grill gate what cause you to tell me in one of your statements, "IF I catch you doing any hanky panky stuff its going to be over for me?" ^{answered in last question}
10. When you stated "if you caught me doing any hanky panky stuff it would be over for me", what did you mean by hanky panky stuff? ^{masturbating (ofc Austin)}
11. Where you refering to me not being able to graduate Crime bill class when you said, "it would be over for me"? No
12. Have you ever seen me expose my penis to you before you accuse me of such action? If answer is "yes" will you state, when and where? ^{indwnt}
13. Have you ever been told by a co-worker that I disrespected them in the way you stated I disrespected you? ^{yes, ofc Rudolph informed me later that she had previously warned this inmate (Austin)}

Question Continue

Question For Mrs Austin

14. Before you accuse me of these actions have I ever ~~led~~ you to believe I was doing something disrespectful towards you as you have stated? *irrelevant*

15. Mrs. Austin do you wear glasses? *irrelevant*

16. After having an eye examination, have you ever been advise to wear glasses? *irrelevant*

17. Mrs Austin how tall are you? *irrelevant*

18. Were I sitting down or standing up when you saw me doing these things you say I done? *sitting down in the chair with his back*

19. How ^{to the wall of dorm 12} close to the grill gate did you have to get in order to see me doing these things you say I've done. *question answered*

20. Are you able to stand in the grill gate Flat Footed, See me on the other side of Dorm 12, sitting in a chair, between two beds half way in the dorm, stroking my penis backward and Forward, while I'm looking directly at you, as you stated? *irrelevant*

21. How would you explain I responded once you called my name as you watch me, looking directly at you, while I stroke my penis backward and Forward, exposing it to you, while it was erected, as you stated? *would like he didn't do anything.*

Question For Mrs. Austin

22. Where any of the Clothes or Laundry bags hanging in the dorm on the ends of beds interfering with you view? No
23. Mrs. Austin did a inmate or inmates (After I came past you in the grill gate and talk to you) attempt to persuade you to write me up for masturbation or a 38 rule violation? *inmate*
- 24. Were Rashan and Lawrence closer to me than you ~~where~~ were while you were in the grill gate observing me doing these things you say I done? *he was standing at the vestibule area*
25. When I came to the grill gate after you made those accusation out loud and stated: "put on your pants before you come up here", how was I dress when I came directly in front of you at the grill gate? *he was dressed when he approached me (Austin)*
26. Could your intention been that you were trying to make it appear that I was trying to conceal myself by instructing me to put on my pants before I came to you? *he stood up and start acting crazy then he came up then (Austin)*

End of Questions

SYNOPSIS FOR DISCIPLINARY HEARING

This Bullock County Correctional Facility disciplinary hearing is hereby convened to hear evidence against inmate Richard Wright B/187140. The time is 12:15 PM and today's date is 9-17-03.

The accused, the arresting official and all witnesses were sworn to tell the truth during these proceedings.

The hearing officer explained to inmate Wright that he was being charged by officer Brenda Austin with violation of Rule # 38, specifically, Indecent Exposure / Exhibitionism, and that he was served a copy of the charge on (date) 9/12/03, and (did) (did not) desire witnesses.

The hearing officer fully examined the documents to ensure that Due Process was afforded. The hearing officer then asked the accused if he understood the charge and he replied; (Yes) ✓ (No) _____. After the accused answered yes, the hearing officer asked, "How do you plea?" and the accused replied; (Guilty) _____ (Not Guilty) ✓.

ARRESTING OFFICER'S TESTIMONY: I was working all (4) dorms, I was standing in the vestibule of dorms 12 & 13, he was in 13 dorm shower. An unidentified inmate approached and informed me that he didn't sleep in 13 dorm and that he was in the shower masturbating. After he finished showering he went to dorm #12 and sat in a chair and masturbated while staring at me.

INMATE'S TESTIMONY: (See attached Statement)

WITNESS #1: Lawrence Williams B/155131 - (See attached questions)


WITNESS #2: Rashun Lee B/213823 - (See attached questions)

WITNESS #3: _____

CONTINUE ON THE BACK

STATE OF ALABAMA
DEPARTMENT OF CORRECTIONS
INSTITUTIONAL INCIDENT REPORT

N601
D of C
DOC No. 601 (REV. 4/81)

1. Institution: Bullock County	2. Date: 08/16/2003	3. Time: 8:00 a.m.	4. Incident Number: BCCF:03-1134
5. Location Where Incident Occurred: Dormitory #12 Between Beds #13, 14, 15, and 16		6. Type of Incident: #38 Indecent Exposure/ Exhibitionism	
7. Time Incident Reported: 8:04 a.m.		8. Who Received Report: Sgt. Janet Hicks <i>Janet Hicks, COT</i>	
9. Victim:			
a. <u>N/A</u> (type full name)		No. _____	
b. _____ (type full name)		No. _____	
10. Suspects:			
a. Richard Wright No. B/187140		11. Witnesses:	
b. _____ No. _____		a. <u>N/A</u> No. _____	
c. _____ No. _____		b. _____ No. _____	
d. _____ No. _____		c. _____ No. _____	
e. _____ No. _____		d. _____ No. _____	
		e. _____ No. _____	
		f. _____ No. _____	
		g. _____ No. _____	
Physical Evidence:			
12. Type of Evidence: <u>N/A</u>			
13. Description of Evidence: <u>N/A</u>			
14. Chain of Evidence:			
a. <u>N/A</u>			
b. _____			
c. _____			
d. _____			
15. Narrative Summary: On August 16, 2003, at approximately 8:00 a.m., Officer Brenda Austin was assigned as Rover for Dormitories #12 thru #15. While standing in the Vestibule area of Dormitories #12 and #13 Officer Austin observed inmate Richard Wright, 187140 sitting in a chair in Dormitory #12, between Beds #13, 14, 15, and 16. Inmate Wright was stroking his exposed penis in a backward and forward motion while looking directly at Officer Austin. Officer Austin immediately yelled for inmate Wright to stop masturbating, inmate Wright complied. Officer Austin informed inmate Wright that he would receive a disciplinary for violation of Rule #38 Indecent Exposure/ Exhibitionism. At approximately 8:04 a.m., this incident was reported to Sgt. Janet Hicks. Officer Austin escorted inmate Wright to the Shift Commander's Office. Officer Susie Jackson relieved Officer Austin. Inmate Wright was questioned by Sgt. Hicks concerning this incident. Inmate Wright denied this incident and was released to his assigned dormitory. No further action was taken.			
 Brenda Austin, COI			

DISTRIBUTION:

ORIGINAL Investigation and Inspection Division
COPY to Deputy Commissioner, Institutions
COPY to Institutional File
COPY to Central Records File





DOC Form 225B (Revised 7/92)

DISC: #04-2484
BOCF: #04-2484ALABAMA DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT

1. INMATE: Richard Wright CUSTODY MIN-9 AIS BM/187140
2. FACILITY: BULLOCK COUNTY CORRECTIONAL FACILITY
3. The above inmate is being charged by Officer Timothy Holmes with a violation of Rule Number 31 specifically Assault on Another Inmate from regulation # 403, which occurred on or about November 3, 20 04 at (time) 10:10 pm, Location: Dormitory #20 - T.V. Area.
A hearing on this charge will be held after 24 hours from service.
4. Circumstances of the violation(s) are as follows: You, inmate Richard Wright, BM/187140, did admit to Lt. Gwendolyn Babers that you approached inmate Walton Solomon, WM/217565, while he was watching T.V. and began to fight him because you had not fought in a long time and were overdue for a fight.
5. for Gwendolyn Babers, CSI
Timothy Holmes, CSI
Arresting Officer/Signature/Rank
6. I hereby certify that I have personally served a copy of the foregoing upon the above named inmate on this the 9 day of November, 20 04 at (time) 2:04 (am/pm).
7. Malvin Austin, CSI Refused to Sign (Malvin Austin, CSI)
Serving Officer/Signature/Rank Inmate's Signature/AIS Number
8. Witnesses desired? NO _____ YES _____
Inmate's Signature Inmate's Signature
9. If yes, list: _____
10. Hearing Date 12-1-04 TIME 1:30 am PLACE Classification
11. Inmate must be present in Hearing Room. If he is not present explain in detail on additional page and attach.
12. A finding is made that inmate (is) is not) capable of representing himself.
13. Plea: Richard W Wright Not Guilty _____ Guilty _____
Signature/Hearing Officer
14. The Arresting Officer, inmate, and all witnesses were sworn to tell the truth.
Signature/Hearing Officer
15. Arresting Officer's testimony (at the hearing): I observed two (2) inmates fighting in Dorm #13. I escorted both inmates to the Lt.'s office. In the Lt.'s office, inmate Wright admitted to Lt. Gwendolyn Babers that he approached inmate Walter Solomon while he was watching t.v. and began to fight him, because he had not fought in a long time and was overdue for a fight.

ALABAMA DEPARTMENT OF CORRECTIONS
MENTAL HEALTH SERVICES
MENTAL HEALTH CONSULTATION TO DISCIPLINARY PROCESS

Inmate Name: Richard Wright AIS#: Bm/187140
Institution: CCF Date of Disciplinary Report: Nov. 3, 2004

#31 Assault on another inmate
Is the inmate currently on the mental health caseload? Yes No
If Yes, referred for mental health evaluation/consultation on: November 8, 2004
Mental Health Outpatient

HEARING OFFICER:

Hearing officer must refer the inmate for mental health consultation if the inmate appears unable to understand what the charge is and what might happen as a result of the charge or the inmate appears unable to actively participate in the hearing as suggested by the following:

Does the inmate know where he is?
Is the inmate appropriately dressed?
Does the inmate make sense?

Does the inmate know what date it is?
Is inmate able to speak coherently?
Are the inmate's statements logical and organized or unusual?

Does inmate know why he is seeing hearing officer?
Does the inmate avoid eye contact?

Should the inmate be referred for mental health evaluation of competency? Yes No
-- IF Yes, referred for mental health evaluation/consultation on: _____

MENTAL HEALTH STAFF:

Date request for consult received: 11-9-04

Date consult returned: 11-9-04

Is the inmate competent to participate in the hearing?
IF NO, why is the inmate not competent?

Yes No

IF NO, what treatment will assist the inmate in becoming competent?

Are there mental health issues that may have impacted inmate's behavior at the time of the charge?
IF YES, briefly describe the issues:

Yes No

Are there mental health issues to be considered regarding disposition if the inmate is found guilty?
IF YES, briefly describe the issues and possible relation to the disposition:

Yes No

Does mental health staff want to be present at the disciplinary hearing to provide input?

Yes No

Mental Health Staff Member: Mike Hamme Phone Contact: 132

DISCIPLINARY HEARING:

Does the inmate appear to be competent to participate in the hearing?
Have the mental health recommendations been considered?

Yes No
Yes No

Hearing Officer: Kent Walker

Date: 11-30-04 12-1-04

Inmate Name: <u>Richard Wright</u>	AIS #: <u>187140</u>
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ALDOC Form 466-01

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AR 466 - December 11, 2001

S was reviewed in the MH staff meeting and interviewed by me in the seg. unit. His thinking was clear. He was oriented in all spheres. He was able to explain his side of the incident. He can go to disciplinary court.
File: Mrs. Perry
Wright Hamme 411
Wright Hamme

ALABAMA DEPARTMENT OF CORRECTIONS
MENTAL HEALTH SERVICES
MENTAL HEALTH CONSULTATION TO DISCIPLINARY PROCESS

Inmate Name: Richard Wright AIS#: BM/187140
Institution: CCF Date of Disciplinary Report: Nov. 3, 2004

#31 Assault on Another Inmate

Is the inmate currently on the mental health caseload?

Yes

No

If Yes, referred for mental health evaluation/consultation on: November 8, 2004
Mental Health Inpatient

HEARING OFFICER:

Hearing officer must refer the inmate for mental health consultation if the inmate appears unable to understand what the charge is and what might happen as a result of the charge or the inmate appears unable to actively participate in the hearing as suggested by the following:

Does the inmate know where he is?
Is the inmate appropriately dressed?
Does the inmate make sense?

Does the inmate know what date it is?
Is inmate able to speak coherently?
Are the inmate's statements logical and organized or unusual?

Does inmate know why he is seeing hearing officer?
Does the inmate avoid eye contact?

Should the inmate be referred for mental health evaluation of competency? Yes No
-- If Yes, referred for mental health evaluation/consultation on: _____

MENTAL HEALTH STAFF:

Date request for consult received: 11-9-04 Date consult returned: 11-9-04

Is the inmate competent to participate in the hearing?
If NO, why is the inmate not competent?

Yes

No

If NO, what treatment will assist the inmate in becoming competent?

Are there mental health issues that may have impacted inmate's behavior at the time of the charge?
If YES, briefly describe the issues:

Yes

No

Are there mental health issues to be considered regarding disposition if the inmate is found guilty?
If YES, briefly describe the issues and possible relation to the disposition:

Yes

No

Does mental health staff want to be present at the disciplinary hearing to provide input?

Yes

No

Mental Health Staff Member: Mike Hamme Phone Contact: 132

DISCIPLINARY HEARING:

Does the inmate appear to be competent to participate in the hearing?
Have the mental health recommendations been considered?

Yes

No

Yes

No

Hearing Officer: Robert Washington Date: 12-1-04

Inmate Name: <u>Richard Wright</u>	AIS #: <u>187140</u>
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ALDOC Form 466-01

5 of 5

5 was reviewed in the MH staff meeting and interviewed by me in the seg. unit. His thinking was clear. He was oriented in all spheres. He was able to explain his side of the incident. He can go to disciplinary court.
File: Mrs. Perry
log: MTHM
Mike Hamme 411

AR 466 - December 11, 2001

Form 225-D

NOTICE OF RESCHEDULING
OF DISCIPLINARY HEARING

INMATE'S NAME

Richard Wright

AIS #

BM/187140

VIOLATION(s)

#31 Assault on Another Inmate

Notice is hereby given that your Disciplinary Hearing which was scheduled on Nov. 19, 2004 has been rescheduled for Nov. 23, 2004.

Reason for rescheduling:

Arresting Officer out on sick leave

INMATE'S SIGNATURE

Refused to sign (B. Hampton)

SERVING OFFICER'S SIGNATURE

B. Hampton

STATE OF ALABAMA
BOARD OF CORRECTIONS
INSTITUTIONAL INCIDENT REPORT

1. Institution: BULLOCK COUNTY CF	2. Date: 11-3-04	3. Time: 10:10 p.m.	4. Incident Number: BCCF: 04-2484
5. Location Where Incident Occurred: Dormitory #20 – Television Area		6. Type of Incident: Rule #31, Assault on Another Inmate	
7. Time Incident Reported: 10:12 a.m.		8. Who received Report: Lt. Gwendolyn Babers <i>Gwendolyn Babers, 0051</i>	
9. Victim:			
a. <u>Walton Solomon</u> (type full name)		No. <u>WM/217565</u>	
b. _____ (type full name)		No. _____	
10. Suspects:		11. Witnesses:	
a. <u>Richard Wright</u>	No. <u>BM/187140</u>	a. <u>N/A</u>	No. _____
b. _____	No. _____	b. _____	No. _____
c. _____	No. _____	c. _____	No. _____
d. _____	No. _____	d. _____	No. _____
e. _____	No. _____	e. _____	No. _____
f. _____	No. _____		
Physical Evidence:			
12. Type of Evidence: <u>N/A</u>			
13. Description of Evidence: <u>N/A</u>			
14. Chain of Evidence: <u>N/A</u>			
15. NARRATIVE SUMMARY: On 11/3/04, at approximately 10:10 p.m., while exiting Cubicle #4, retrieving equipment for duty, Officer Timothy Holmes observed two (2) inmates in Dorm #20 around the television area. Officer Holmes alerted the Cubicle Officer, Elizabeth Laseter, to call for Officer Paul Phillips, Dorms #22 and #23 Rover, and to lockdown. Officers Holmes and Phillips entered Dorm #20 and separated the two (2) inmates. At approximately 10:12 p.m., Lt. Gwendolyn Babers was notified of the incident. Officers Holmes and Phillips then escorted the two (2) inmates to the Shift Commander's office. At approximately 10:15 p.m., Lt. Babers and Sgt. Anthony Jackson reported to the Shift office. Lt. Babers questioned both inmates concerning the incident. The inmates were identified as Richard Wright, BM/187140, and Walton Solomon, WM/217565. Inmate Solomon stated that he was sitting on the bench watching the news and inmate Wright approached him and began swinging at him. Inmate Wright stated to Lt. Babers that he had not fought in a long time and tonight was his time because he was way overdue for a fight. At approximately 10:20 p.m., Sgt. Jackson handcuffed inmate Wright behind his back. Sgt. Jackson, Officer Eric			

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Copy to Institutional File
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Annex A (page 1 of 2)
ADOC Form 601 Revised 4-6-99
AR 302 – April 6, 1999



Institution:

Bullock County CF

Incident Number:

BCCF: 04-2484

Date:

11-3-04

Type of incident:

Rule #31, Assault on Another Inmate

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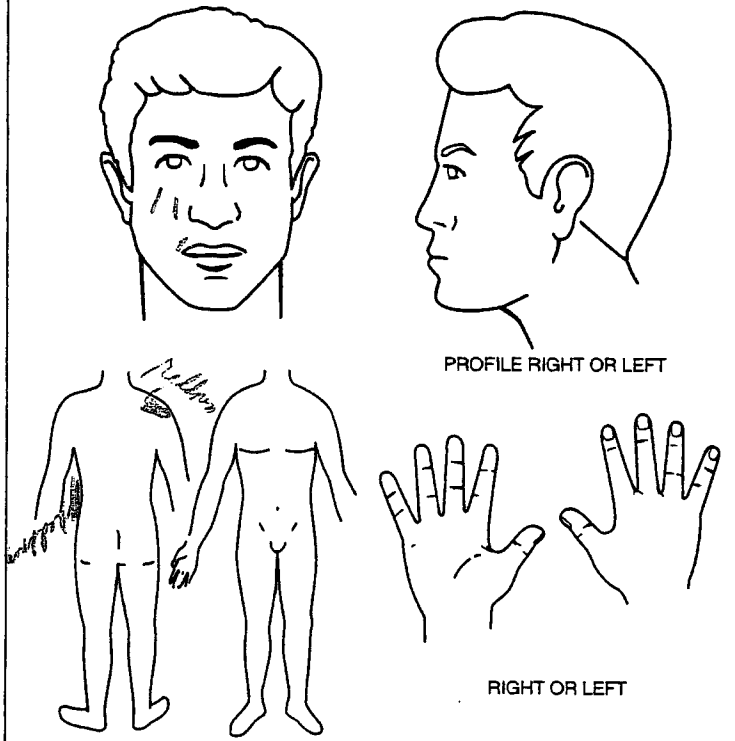
Williams and Lt. Babers escorted inmate Wright to the Infirmary for a body chart (see attached). Officer Holmes then escorted inmate Solomon to the Infirmary for a body chart. At approximately 10:20 p.m., Nurse Ed Meuleman examined inmate Wright (see attached body chart). At approximately 10:22 p.m., Nurse Martha Jackson examined inmate Solomon (see attached body chart). At approximately 10:30 p.m., inmate Solomon was released back to DOC officials and then to his assigned dorm. At approximately 10:38 p.m., Sgt. Jackson, Lt. Babers and Officer Holmes escorted inmate Wright from the Infirmary to Segregation where he was placed in Cell #8. At approximately 10:40 p.m., after questioning several other inmates in Dorm #20, it was revealed that inmate Wright had been acting strange, walking around in circles in the dorm. Lt. Babers informed inmate Wright that he would be receiving disciplinary action for violation of Rule #31, Assault on Another Inmate. Due to inmate Wright being a Mental Health Outpatient, a Mental Health Referral Form was completed on inmate Wright (see attached). An Unusual Incident Report was completed and faxed to Staton Communications (see attached). Due to no serious injuries occurring, Warden III Arnold Holt was notified at approximately 6:00 a.m. No further action was taken.

A. E. Babers #051
for Timothy Holmes, Col 1
Timothy Holmes, Correctional Officer I

ANNEX B

(White – Record Copy, Yellow – Pharmacy Copy)

EMERGENCY

ADMISSION DATE <u>11 / 3 / 04</u>		TIME <u>1020</u> AM PM	ORIGINATING FACILITY <u>Burlingame</u> <input type="checkbox"/> SIR <input type="checkbox"/> PDL <input type="checkbox"/> ESCAPEE <input type="checkbox"/>		<input type="checkbox"/> SICK CALL <input type="checkbox"/> EMERGENCY <input type="checkbox"/> OUTPATIENT			
ALLERGIES <u>None</u>			CONDITION ON ADMISSION <input checked="" type="checkbox"/> GOOD <input type="checkbox"/> FAIR <input type="checkbox"/> POOR <input type="checkbox"/> SHOCK <input type="checkbox"/> HEMORRHAGE <input type="checkbox"/> COMA					
VITAL SIGNS: TEMP <u>98°</u>		ORAL RECTAL	RESP. <u>20</u>	PULSE <u>86</u>	B/P <u>130/90</u>	RECHECK IF SYSTOLIC <u>1</u> <100> 50		
NATURE OF INJURY OR ILLNESS <u>S - Attention E. Another inmate</u>				ABRASION ///	CONTUSION #	BURN xx xx	FRACTURE Z Z	LACERATION / SUTURES
								
PHYSICAL EXAMINATION <u>A - Left Male Ambulatory to Hall</u> <u>Alert + Oriented x3 Resp Regular</u> <u>And even skin w/o to touch redness</u> <u>to D side of face upper back and</u> <u>under D arm, no bleeding noted</u> <u>no swelling or uriner present</u> <u>A - Body Chart for Doc</u>				ORDERS / MEDICATIONS / IV FLUIDS <u>P - no Medical tx</u> <u>Required, Released to</u> <u>Doc</u>			TIME	BY
DIAGNOSIS <u>0</u>								
INSTRUCTIONS TO PATIENT <u>0</u>								
DISCHARGE DATE <u>11/3/04</u>		TIME <u>1536</u> AM PM	RELEASE / TRANSFERRED TO <u>DOC</u> <input type="checkbox"/> AMBU'ENCE <input type="checkbox"/>		CONDITION ON DISCHARGE <input checked="" type="checkbox"/> SATISFACTORY <input type="checkbox"/> POOR <input type="checkbox"/> FAIR <input type="checkbox"/> CRITICAL			
NURSE'S SIGNATURE <u>Marta Jackson</u>		DATE	PHYSICIAN'S SIGNATURE		DATE	CONSULTATION		
INMATE NAME (LAST, FIRST, MIDDLE) <u>Solomon Wael</u>				DOC# <u>217565</u>	DOB <u>122776</u>	R/S <u>W/M</u>	FAC. <u>Burlingame</u>	